

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 10/28/2014	(3) CONTACT/PHONE Don Spagnolo, Transportation Programs Manager (805) 781-4476	
(4) SUBJECT Submittal of a resolution approving the Americans with Disabilities Act (ADA) Transition Plan Update for the Public Right-of-Way, find that the plan is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA) and designate an ADA coordinator for the Public Right-of-Way. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> 1. Adopt the attached resolution approving the Americans with Disabilities Act Title II Transition Plan Update for the Public Right-of-Way; 2. Find that the plan is exempt from Section 2100 et seq. of the California Public Resources Code (CEQA); and 3. Designate the Director of Public Works or their designee as the ADA Coordinator for the Public Right-of-Way in accordance with applicable State Law. 			
(6) FUNDING SOURCE(S) Road Fund	(7) CURRENT YEAR FINANCIAL IMPACT \$60,000.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) All Districts			

Reference: 14OCT28-C-9

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works

Don Spagnolo, Transportation Programs Manager

VIA: Dave Flynn, Interim Director of Public Works

DATE: 10/28/2014

SUBJECT: Submittal of a resolution approving the Americans with Disabilities Act (ADA) Transition Plan Update for the Public Right-of-Way, find that the plan is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA) and designate an ADA coordinator for the Public Right-of-Way. All Districts.

RECOMMENDATION

It is recommended that the Board:

1. Adopt the attached resolution approving the Americans with Disabilities Act Title II Transition Plan Update for the Public Right-of-Way;
2. Find that the plan is exempt from Section 2100 et seq. of the California Public Resources Code (CEQA); and
3. Designate the Director of Public Works or their designee as the ADA Coordinator for the Public Right-of-Way in accordance with applicable State Law.

DISCUSSION

The Americans with Disabilities Act (ADA), which was signed into law on July 26, 1990, requires public entities to make programs, activities, and services accessible to individuals with disabilities. To comply with the ADA Title II requirements for the Public Right-of-Way and provide pedestrian facilities that are consistent with both ADA Accessibility Guidelines (ADAAG) and California Title 24, the County developed a transition plan in 2000 for public street features. The plan contained an inventory of all existing facilities and a plan to bring these facilities into compliance with Federal and State regulations. The plan covered a ten year time period to implement.

While the department has completed curb ramp upgrades in almost all of the high pedestrian volume locations within the business districts, there will be a need to upgrade other locations over time as we complete street rehabilitation projects. The attached ADA Transition Plan Update will outline the future procedures to be used for compliance within the Public Right of Way.

Future facility upgrades will be in coordination with road projects that have been identified in the Pavement Management Plan list of asphalt overlay projects. These projects will evaluate ADA compliance and include construction or replacement of facilities as part of the project.

As part of this plan, the Transportation Division will address downtown/business district disabled persons parking needs in all unincorporated communities where the spaces are delineated by striping. As downtown areas continue to develop, there are increased requirements for the number of disabled person parking stalls.

Part of the enactment of the plan requires designating an employee as the ADA Coordinator for public right of way. That designation would be the Director of Public Works or designee. Public requests for specific accessibility enhancements will be considered by the ADA Coordinator under the plan's formal grievance procedure and action taken by the department if determined to be reasonable and viable.

Adoption of the resolution will bring the County in compliance for Public Right of Way facilities under Title II of the ADA.

OTHER AGENCY INVOLVEMENT/IMPACT

Access for All, the local disability advocate group, was sent a copy of the draft Americans with Disabilities Accessibility Self-Evaluation and Survey for Public Right-of-Way and asked to respond with comments, concerns, and questions. Only one comment was received related to parking lot striping for disabled persons along with minor changes to the wording in Section VII and VIII.

Federal Highway Administration and Caltrans require adoption of a transition plan and designation of an ADA Coordinator under agreements for federal funding programs. The Environmental Coordinator has reviewed the plan and found it to be exempt from CEQA.

County Counsel has reviewed the attached plan and resolution as to legal form and effect.

FINANCIAL CONSIDERATIONS

The Public Works Department completed a self-assessment/Transition Plan in 2000. Over the past 15 years, the department has expended approximately \$1.4 million on ADA curb ramps installation for facilities within the public right of way.

The 2014 Plan Update proposes to fund public facility improvements, including curb ramps, traffic signals, disabled person parking, sidewalks and potentially future crosswalks, as part of adjacent road improvement projects. Typically, a budget amount of \$60,000 for ADA improvements is established each fiscal year and has been included as part of the FY 14/15 Road Fund budget – WBS 300525. The upgrades will be made as part of the pavement rehabilitation program.

RESULTS

Adoption of the resolution leads to compliance with the ADA guidelines resulting in improved community accessibility. This provides for a more livable and well governed community.

File: CF 280.40.01 Americans with Disabilities Act

Reference: 14OCT28-C-9

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ATTACHMENTS

1. Americans with Disabilities Act Title II Transition Plan Update for the Public Right-of-Way
2. Resolution adopting an Americans with Disabilities Act (ADA) Transition Plan 2014 Update
3. Notice of Exemption (CEQA)